
CEREAL MALT BEVERAGE

BASIS	<p>Any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any such liquor which is more than 3.2% alcohol by weight, for use or consumption and not for resale in any form.</p> <p>Retailer: Consumption of cereal malt beverage OFF premises. Tavern: Less than 50% of gross revenues derived from the sale of food. General/Restaurant: More than 50% of gross revenues derived from the sale of food. Special Event: Temporary sales of cereal malt beverage on unlicensed premises limited for a maximum of 3 consecutive days, 4 times per year.</p>												
LEGAL REFERENCE	<p>K.S.A. Chapter 41, Article 27; Chapter 4.12, Code of the City of Wichita, Kansas.</p>												
REGULATIONS	<p>A new establishment is a business that has been licensed for less than 90 days. A new operator is a new applicant for a business that previously had a license and it has been expired less than 90 days.</p> <p>Nontransferable. Non-refundable.</p> <p>Cereal Malt Beverage can be sold between 6AM and midnight and can be sold on an election day.</p> <p>Section 4.12.050(b) of the City Code states that if business is located less than 300 feet from a church or school, it will lose its grandfathered exception to this distance requirement if it ceases to be used as a building where cereal malt beverages are sold for a period of 90 days or more. The 90 days should be counted starting with the first day following the closing of the location if there is remodeling or repair work being done on an establishment.</p> <p>If applicant is changing classification from Tavern to General, a new application and fee must be submitted.</p> <p>If a corporation, and there is a change of applicant, the new applicant information should be processed but no fee is charged.</p> <p>If revoked, the fee is nonrefundable. If the application is not approved, a substantiating memo from the disapproving department must accompany the application when it is returned to License and that memo is used for the refund request. The money can be refunded except for the \$1 new application fee.</p>												
ENFORCING AUTHORITY	<p>Vice Section - Police Department; Central Inspection; City Council</p>												
FEES	<table><tr><td>Retailer</td><td>\$ 75.00</td></tr><tr><td>Tavern</td><td>\$225.00</td></tr><tr><td>General/Restaurant.....</td><td>\$225.00</td></tr><tr><td>Special Event one day.....</td><td>\$ 90.00</td></tr><tr><td>Special Event two consecutive days.....</td><td>\$155.00</td></tr><tr><td>Special Event three consecutive days (maximum)</td><td>\$220.00</td></tr></table> <p>Application fee for a new applicant is \$1.00.</p> <p>\$25.00 has been added to all license fees for the State of Kansas excise tax. The excise tax is sent to the State on a quarterly basis.</p> <p>Licenses expire one year from approval date. Applications take about 30 days for approvals.</p>	Retailer	\$ 75.00	Tavern	\$225.00	General/Restaurant.....	\$225.00	Special Event one day.....	\$ 90.00	Special Event two consecutive days.....	\$155.00	Special Event three consecutive days (maximum)	\$220.00
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